

HIGHLAND BOARD OF ZONING APPEALS
Minutes of the Meeting of
September 27, 2017

The Highland Board of Zoning Appeals met on September 27, 2017 in the meeting room of the Municipal Building, 3333 Ridge Road, Highland IN. Mrs. Murovic called the meeting to order at 6:30 p.m. The meeting opened with the Pledge of Allegiance led by Mr. Grzynski

ROLL CALL: Present Mr. Helms, Mr. Grzynski, Mr. Martini, Mr. Leep and Mrs. Murovic. Also present Attorney Jared Tauber, Building Commissioner Mr. Ken Mika and Town Council Liaison Steve Wagner.

MINUTES: The minutes of the August 23, 2017 were approved as posted.

ANNOUNCEMENTS: The next meeting of the Board of Zoning Appeals to be October 25, 2017 at 6:30 pm.

Old Business: Public Hearing for John Winarski, 3635 38th St., requesting a variance for an additional 288 square feet to an existing 576 sq. ft. garage. {HMC 18.05.060 (F)(5)} In Zoning District R-1A, R-1, R-2, or R-3. The summation of the gross floor area of all accessory structures shall not exceed the gross floor area of the principal structure, or 720 square feet, whichever is less.

Mr. Winarski introduced himself.

Mr. Tauber stated that the Proofs of Publication were in compliance with IC 5-3-1.

Mr. Winarski states his current garage is 24' x 24' with a 12' x 22' deck area. He is requesting to remove the deck area and replace it with additional garage space of 12' x 24' for a total additional square footage of 288 sq. ft. He states the additional space will be used for storage and normal garage use. He has outgrown his current garage space. He referenced drawings he distributed of what he is proposing regarding the addition. He said it would be standard 2 x 4 construction, 16" on center. The addition would have vinyl siding and roofing to match the existing siding and roof and would be slab on grade. He said he will pull the required permits.

Mrs. Murovic opened up the Public Hearing. Hearing no remonstrances the Public Hearing was closed.

Mrs. Murovic asked if Mr. Winarski was still planning on removing the 8' x 8' shed once the addition was built and Mr. Winarski replied yes.

Mr. Helms motioned to grant the variance request for the 288 sq. ft. addition. Mr. Martini seconded and unanimously passed with a roll call vote of 5-0.

Preliminary Hearing for Jill Palmer, 3348 Jewett Ave., requesting a variance to install a fence beyond build line. {HMC 18.05.060}(G)(5)(a) Permitted Obstruction in Required Yards. The following shall not be considered to be obstructions when located in the required yards specified: (a) In All Yards. Ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed 12 inches; open terraces or decks not over four feet above the average level of the adjoining ground but not including a permanent roofed-over terrace or porch and not including terraces or decks which project into the required front yard by more than six

feet from the front of the principal structure; awnings and canopies; steps which are necessary for access to a permitted building or for access to a zoning lot from a street or alley; chimneys projecting 18 inches or less into the yard; arbors, trellises and flagpoles; fences, screens, hedges and walls; provided, that in residential districts no fence or wall shall be located in the required front yard and no landscaped screen or hedge shall exceed three feet six inches in height if located in the front yard, and no fence, landscaped screen, hedge or wall shall exceed six feet in height if located in a side or rear yard. On a corner or reverse corner lot, the side yard setback shall be the same as the front yard setback on adjoining lots; fences shall not be installed beyond this point. No fence, screen, hedge or wall shall interfere with line of sight requirements for local streets or intersections. No fence, screen, hedge or wall shall be constructed of material that may be described as rubble, cardboard, chicken wire, trees and brush, corrugated tin, utility poles, railroad ties, barbed wire, broken glass or electrified material. The design, location and construction of a fence or wall shall be approved by the building commissioner prior to the issuance of a building permit.

Ms. Palmer introduced herself. She is requesting to install a fence just beyond her build line. She distributed Google maps of her property with a designation of where she is proposing to install the fence.

Mr. Helms noted that the Board receives many variance requests for fences and one of things that are taken into consideration is where the fences go, specifically right up to the sidewalk and how that may preclude any maintenance or snow removal on the sidewalks. Mr. Helms also mentioned how the fence may obstruct the site line of vehicles pulling out of the alley or Ms. Palmer's garage.

Mr. Helms asked what sort of fence Ms. Palmer was hoping to install. She stated initially she had hoped to install a 6' privacy fence, but when she learned of the regulations she was thinking more in the direction of a 4' chain link fence which would help to alleviate the visibility issue. She then asked how far from the sidewalk should the fence be. Mr. Helms mentioned 6' but asked Mr. Mika for clarification. Mr. Mika stated that in the past the Board allowed maybe 2 or 3 ft. Mr. Mika then asked Ms. Palmer if she knew how much room there was between her home and the sidewalk. Ms. Palmer said she was not sure.

Mr. Martini asked why Ms. Palmer was asking to install the fence. She replied she has a young child who has ran out of the house and she is concerned for her safety due to the fact they are situated so close to a busy street. She also said they do have a dog who is chained up, but some people still like to come pet him and is concerned for their welfare also.

Mr. Martini suggested that perhaps she would consider angling the fence to allow for better visibility.

Mr. Mika asked Ms. Palmer if she was looking to establish the fence line along the north side of her property just past the door entrance. She responded yes, by the chimney area which would make a natural point to start the fence and that way the back door could be included.

Mrs. Murovic asked if Ms. Palmer had a survey of her property and Ms. Palmer responded no.

Mr. Grzynski asked what kind of fence there was on the back part of her property. She responded it is a chain link fence.

Mr. Helms motioned to grant the Public Hearing. Mr. Martini seconded and it unanimously passed with a roll call vote of 5-0.

BUSINESS FROM THE FLOOR: None

ADJOURNMENT: Motion: Mr. Martini Second: Mr. Grzymski Time: 6:40